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SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510

January 15, 2002

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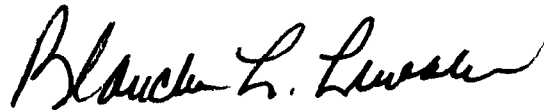
Ms. Diane Atkinson
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Ms. Atkinson:

Enclosed please find a copy of a letter that I received from my constituent, Carl Smith. I would greatly appreciate your reviewing this situation and advising me of your findings.

Thank you for allowing me to pass on these comments. You may contact me at 912 West 4th Street, Little Rock, Arkansas 72201. I look forward to hearing from you and please let me know whenever I may be of service to you.

Sincerely,



Blanche L. Lincoln

BLL/sjm

Enclosure

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315487

3103 Karen Avenue
Springdale, AR 72762
December 10, 2001

The Honorable Blanche Lincoln
3030 Federal Building
700 W. Capitol
Little Rock, AR 72201

Re: Dish/DSS take-over

Dear Senator Lincoln:

For almost five years I have been a DISH Network customer. I find that they provide a good service at a fair price. I attribute this to the company being well run AND to the fact that they have a strong competitor, namely DSS. Since, in most areas, cable TV is lacking in digital technology and their programming has much less to offer, I consider them to be a weak competitor at best.

Therefore, I am adamantly opposed to the take-over of DSS by Echostar. During my fifty five years of life I have watched many take-overs and mergers that have resulted in monopolies or near-monopolies and the results have almost always been the same.

MYTH: Merger or acquisition will result in consolidation and great savings by elimination of duplication of services. Great savings will be passed on to the consumer.

REALITY: Thousands of people lose their jobs and the company keeps the money.

MYTH: Merger or acquisition will result in enhanced buying power resulting in savings to the consumer.

REALITY: Prices rise the day after the merger or acquisition takes place in order for the take-over company to pay for the acquired company.

MYTH: Customer service will be better.

REALITY: Merger or acquisition results in poorer service because there is nowhere else for the customer to go if he is dissatisfied.

In addition, Echostar claims that they will provide local programming in more areas of the country if they are allowed to take over DSS. This may be true but as it stands right now, most people can get local programming for free if they simply put up an antenna. If they cannot receive adequate reception via antenna, they can get distant networks by applying for a waiver from the local broadcaster. The cost

of a good antenna is about equal to one year of locals by cable, yet lasts almost forever so who in their right mind would want to buy what he can get for free? The point being that the ability to receive local stations by satellite should not be an important consideration regarding the approval of the merger.

I thank you for the opportunity to present my opinion.

Respectfully submitted,

Carl J. Smith
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